

REMARKS

The Examiner's Office Action of September 17, 2004 has been received and its contents reviewed. Applicant would like to thank the Examiner for the consideration given to the above-identified application.

By the above actions, claims 1, 3, 4, 5, 6, 19, 21, 22, 23 and 24 have been amended and new claims 77-88 have been added. Accordingly, claims 1-88 are pending for consideration, of which claims 1, 3, 4, 5, 6, 19, 21, 22, 23, 24, 87 and 88 are independent. In view of these actions and the following remarks, reconsideration of this application is now requested.

Referring now to the detailed Office Action, claims 1, 2, 19, 20 and 67 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita et al. (U.S. Patent No. 6,072,206 – hereafter Yamashita) in view of Roberts (U.S. Patent No. 5,541,654 – hereafter Roberts). Further, claims 3-6, 11-18, 21-24, 29-30, 33-34, 48-51, 53-56, 68-71 and 73-76 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts and Beiley (U.S. Patent Publication No. 2001/0007471 – hereafter Beiley). Still further, claims 7-10, 25-28, 31-32, 35-36 and 52 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts and Beiley and Morris et al. (U.S. Patent No. 6,665,010 – hereafter Morris). Still further, claims 37-41, 43-47, 57-61 and 63-66 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts and Beiley and Kamiko (U.S. Patent No. 6,307,956 – hereafter Kamiko). Finally, claims 42, 66 and 72 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts and Beiley, Morris and Kamiko. It is noted that Yamashita, a primary reference, and Roberts, a secondary reference, are applied in all of the pending §103(a) rejections.

In response to the rejections, Applicant has amended independent claims 1, 3, 4, 5, 6, 19, 21, 22, 23 and 24, as shown above to further clarify the claimed invention and to further distinguish over the cited prior art references.

More specifically, with respect to the rejection of claims 1 and 19 over Yamashita and Roberts, the claims have been amended to include the step of "imaging a first object on trial" and "imaging a second object ordinarily". Support for this amendment can be found at least at, e.g., line 25 of page 22 to line 9 of page 24 in the specification. Applicant respectfully asserts that these features are not disclosed or suggested by Yamashita and Roberts. More

specifically, as acknowledged by the Examiner, Yamashita does not teach, disclose or suggest resetting a plurality of pixels at a same time and/or selecting a part of the plurality of pixels to output signals of the selected pixel. Further, Applicant respectfully asserts that Yamashita merely discloses a solid state image sensor device and does not recognize the problem relating to optimization of a storage period and "trial imaging", which Applicant is solving with the claimed driving method of a MOS sensor. Hence, as Yamashita lacks the above-mentioned features and the proper motivation or suggestions to combine its teaching with that of Roberts or with that of the other remaining cited prior art references, the application of Yamashita as a primary reference is improper.

With respect to the rejection of claims 3-6 and 21-24 over Yamashita, Roberts and Bailey, the arguments set forth above are also applicable. Furthermore, Applicant has amended claims 3-6 to further recite the steps of "imaging a first object on trial" and "imaging a second object in the storage period", and claims 21-24 to further recite the features wherein, in a trial imaging period, a plurality of first pixels of an image pickup unit are sequentially selected, after all reset simultaneously, so that the signals of the selected pixels are outputted, and wherein, in the storage period, a plurality of second pixels of said image pickup unit are selected. Support for this amendment can be found at least at, e.g., line 25 of page 22 to line 9 of page 24 in the specification.

The requirements for establishing a *prima facie* case of obviousness, as detailed in MPEP § 2143 - 2143.03 (pages 2100-122 - 2100-136), are: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the teachings; second, there must be a reasonable expectation of success; and, finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.

Applicant respectfully submits that the steps of "imaging a first object on trial" and "imaging a second object in the storage period", as recited in amended claims 3-6, are not taught, disclosed or suggested in the cited prior art references. Further, the features wherein, in a trial imaging period, a plurality of first pixels of an image pickup unit are sequentially selected, after all reset simultaneously, so that the signals of the selected pixels are outputted, and wherein, in the storage period, a plurality of second pixels of said image pickup unit are

selected, as recited in amended claims 21-24, are not taught, disclosed or suggested by the cited prior art references. Hence, a *prima facie* case of obviousness has not been established.

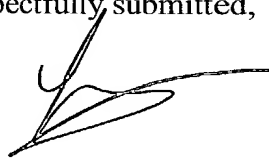
In the interest of keeping prosecution history compact, and as the amendments and arguments set forth above with respect to all the independent claims are deemed sufficient to overcome all of the pending rejections, Applicant will not address each and every §103(a) rejections and reserves the right to do so in the future as necessary.

New claims 77-88 have been added to further complete the scope of the invention to which Applicant is entitled.

In view of the amendments and arguments set forth above, Applicant respectfully requests reconsideration and withdrawal of all the pending rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



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